

Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603)

I. The Application Process

How to File

A separate application must be filed by each applicant. Applications must be typewritten or clearly printed in ink and completed in full. If extra space is needed to answer an item, attach a continuation sheet and indicate your name, A90 number and item number. Applications must be mailed to one of the four Regional Processing Facilities depending on where you reside. (See below.)

If you reside in: Connecticut; Delaware; District of Columbia; Maine; Maryland; Massachusetts; New Hampshire; New Jersey; New York; Pennsylvania; Puerto Rico; Rhode Island; Vermont; Virgin Islands; Virginia; or West Virginia:

Mail application to: Regional Processing Facility, U.S. Immigration and Naturalization Service, P.O. Box 968, Williston, VT 05495

If you reside in: Alaska; Colorado; Idaho; Illinois; Indiana; Iowa; Kansas; Michigan; Minnesota; Missouri; Montana; Nebraska; North Dakota; Ohio; Oregon; South Dakota; Utah; Washington; Wisconsin; or Wyoming;

Mail application to: Regional Processing Facility, U.S. Immigration and Naturalization Service, Federal Building and U.S. Courthouse, 100 Centennial Mall, Room B-25, Lincoln, NE 68508

If you reside in: Alabama; Arkansas; Florida; Georgia; Kentucky; Louisiana; Mississippi; New Mexico; North Carolina; Oklahoma; South Carolina; Tennessee; or Texas;

Mail application to: Regional Processing Facility, U.S. Immigration and Naturalization Service, P.O. Box 569570, Dallas, TX 75356-9570

If you reside in: Arizona; California; Guam; Hawaii; or Nevada;

Mail Application to: Regional Processing Facility, U.S. Immigration and Naturalization Service, P.O. Box 30030, Laguna Niguel, CA 92677-0030

Note: It is recommended that you retain a complete copy of your application for your records.

Fee

A fee of eighty dollars (\$80.00) for each I-698 application is required at the time of filing with the Immigration and Naturalization Service. The maximum amount payable by a family (husband, wife, and children under 18 years of age living at home) shall be two hundred and forty dollars (\$240.00). Fees are not refundable regardless of the action taken on the application. All fees must be in the form of a U.S. Postal Money Order, Money Order, or Bank Check; cash or personal checks of any type will not be accepted.

All money orders and bank checks must be made payable to "Immigration and Naturalization Service". You will receive a fee receipt after your application is received and processed at a Regional Processing Facility. Any stop payment action taken by you or your representative will cause the Service to terminate action on the application.

Photographs

Submit with the application one color photograph of yourself taken within thirty (30) days of the date of the application. Two additional color photographs will be required at the time of the interview. Do not send these two additional photographs with the I-698 application. The photos must have a white background, be glossy, unretouched, and not mounted; dimension of facial image should be about one inch from chin to top of hair. You must be shown in the photos in a three-fourths frontal view showing right side of face with right ear and both eyes visible. Your name and A90 million file number should be placed lightly in pencil on the back of the

Medical Examination

A medical examination form (I-693) is required only for those applicants who were not given a serologic test for human immunodeficiency virus (HIV) infection as part of their medical examination when applying for temporary residence. If you are 15 years of age or older and your medical examination for temporary residence did not include a serologic test for HIV, you should choose a doctor from a list of doctors or clinics in your area that have been approved by the Immigration and Naturalization Service to perform medical examinations and make arrangements with the doctor or clinic to have a serologic test for HIV.

Note: If you must comply with this requirement you do not have to undergo another complete medical examination. The medical examination form need only reflect the results of the serologic test.

Documents - General

The submission of original documents is not required at the time of filing your application (Form I-698). Copies certified as true and complete by a qualified designated entity in good-standing or by your attorney or accredited representative in the format prescribed in 8 CFR 204.2(j)(1) or (2) may be submitted with Form I-698. Original documents must be presented when, and if, requested by the Service. If any original document is submitted, it will be retained by the Service. Any document in a foreign language must be accompanied by a summary translation into English. A summary translation is a shortened version of the document's text but includes all pertinent facts. The translator must certify that he/she is competent to translate into English and that the translation is accurate.

Regional Processing Facility

The Service has four Regional Processing Facilities where applications will be received and processed. Once received at a Regional Processing Facility your application will be reviewed for completeness and examined by INS personnel to determine your eligibility and admissibility as an immigrant. Once the application is reviewed and examined an interview will be

Interview

Interviews will take place at selected INS offices throughout the United States. It is important that you bring your "appointment for interview notice" and any other requested information to the interview. You must also bring Form I-688, Temporary Resident Card to the interview as this card will be modified to reflect temporary evidence of permanent residence until such time as your I-551, Alien Registration Card is received through the mails.

II. Confidentiality and Penalties for False Statements

As in the temporary resident application process, the information provided in your permanent resident application is strictly confidential and may only be used to make a determination on the application or for the enforcement of penalties for false statements. The information provided is subject to verification by the Immigration and Naturalization Service.

The authority to require you to file Form I-698, Application to Adjust Status From Temporary to Permanent Resident, is contained in the "Immigration Reform and Control Act of 1986." The information is necessary to determine whether you are eligible for permanent resident status and for preparing the Alien Registration Card (I-551). All questions must be answered. Failure to answer any question may result in a processing delay or denial of the application.

Penalties for False Statement in Applications

Whoever files an application for adjustment of status under Section 245A of the Act and who knowingly and willfully falsifies, misrepresents, conceals or covers up a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry will be subject to criminal

III. I-772 - Declaration of Intending Citizen

Section 274B of the Immigration and Nationality Act prohibits discrimination in employment hiring and firing based on an individual's national origin or citizenship status. To be afforded the protection of this section a temporary resident alien must file a notice of intent to become a U.S. citizen (I-772). An I-772 can be obtained by contacting an INS office. For additional information concerning immigration related unfair employment

Office of Special Counsel for Immigration Related Unfair Employment Practices by mail at P.O. Box 65490 Washington, D.C. 20035-7688 or by telephone at 1-800 255-7688 or 202-653-8121 or 202-653-5710 (for hearing impaired).

IV. Name Changes

If your name has changed you must submit a certified copy of the decree of the court or marriage certificate as appropriate. A married woman may file her application under either her maiden or present married name.

V. Eligibility Requirements

An application may be filed by any alien who was granted Temporary Resident status under Section 245A of the Immigration and Nationality Act as amended by the Immigration Reform and Control Act of 1986 and section 902 of the Department of State Authorization Bill of 1987. In order to be found eligible for Permanent Residence under Section 245A you must:

- a) Apply for such adjustment during the one year period beginning with the nineteenth month that begins after the date you were granted such temporary resident status;
- b) Reside continuously in the United States, that is since becoming a temporary resident alien no single absence from the United States exceeded thirty (30) days or the total of all absences exceeded ninety (90) days. A single absence from the United States of more than 30 days, or aggregate of more than 90 days during the period for which continuous residence is required for adjustment to permanent residence shall break the continuity of such residence, unless you can establish to the satisfaction of the Service that you did not, in fact, abandon your residence in the United States during such period;
- c) Be found admissible to the United States as an immigrant, except as otherwise provided in the provisions of paragraph (14), (20), (21), (25) and (32) of Section 212(a) of the Immigration and Nationality Act;
- d) Have not been convicted of any felony or three or more misdemeanors committed in the United States;
- e) Be able to demonstrate that you either;
 - 1) Meet the requirements of Section 312 of the Immigration and Nationality Act, as amended (relating to minimal understanding of ordinary English and a knowledge and understanding of the history and government of the United States; or
 - 2) Are satisfactorily pursuing a course of study recognized by the Attorney General, to achieve such understanding of English and such knowledge and understanding of the history and government of the United States. You can obtain further information about available courses by contacting your local INS legalization or district office.

U.S. Department of Justice
Immigration and Naturalization Service

Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603)

Please read instructions: fee will not be		Fee Stamp		
INS Use: Bar Code				
Address Label				
(Place adhesive address label here from booklet or fill in name and address, and A 90 million file number in appropriate blocks.)		Applicant's File A -9		
1. Family Name (<i>Last Name in CAPITAL Letters</i>) (<i>See instructions</i>) (<i>First Name</i>) (<i>Middle Name</i>)			2. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	
3. Name as it appears on Temporary Resident Card (I-688) if different from			4. Phone No.'s (<i>Include Area Code</i>) Home: Work:	
5. Reason for difference in name (<i>See instructions</i>)				
6. Home Address (<i>No. and Street</i>) (<i>Apt. No.</i>) (<i>City</i>) (<i>State</i>) (<i>Zip Code</i>)				
7. Mailing Address (<i>if different</i>) (<i>Apt. No.</i>) (<i>City</i>) (<i>State</i>) (<i>Zip Code</i>)				
8. Place of Birth (<i>City or</i>) (<i>County, Province or</i>) (<i>Country</i>)			9. Date of Birth (<i>Month/Day/Year</i>)	
10. Your Mother's First		11. Your Father's First		12. Enter Your Social Security Number
13. Absences from the United States since becoming a Temporary Resident Alien. (<i>List most recent first</i>) (<i>If you have a single absence in excess of 30 days or the total of all your absences exceeds 90 days, explain and attach any relevant information.</i>)				
Country	Purpose of Trip	From (Month/Day/Year)	To (Month/Day/Year)	Total Days Absent
14. When applying for temporary resident status, I <input type="checkbox"/> did <input type="checkbox"/> did not submit a medical examination form (I-693) with my application that included a serologic (blood) test for human immunodeficiency virus(HIV) infection. (<i>If you did not, submit a medical examination form (I-693) with this application that includes a serologic test for HIV.</i>)				
15. Since becoming a temporary resident alien, I <input type="checkbox"/> have <input type="checkbox"/> have not been arrested, convicted or confined in a prison. (<i>If you have, provide the date(s), place(s), specific charge(s) and attach any relevant information.</i>)				
16. Since becoming a temporary resident alien, <input type="checkbox"/> have <input type="checkbox"/> have not been the beneficiary of a pardon, amnesty (other than legalization), rehabilitation decree, other act of clemency or similar action. (<i>If you have, explain and attach any relevant documentation.</i>)				
17. Since becoming a temporary resident alien, <input type="checkbox"/> have <input type="checkbox"/> have not received public assistance from any source, including but not limited to, the United States Government, any state, county, city or municipality. (<i>If you have, explain, including the name(s) and Social Security Number(s) used and attach any relevant information.</i>)				

18. Concerning the requirement of minimal understanding of ordinary English and a knowledge and understanding of the history and government the United States: *(Check appropriate block under Section A or B.)*

A. I will satisfy these requirements by:

- ☐ Examination at the time of interview for permanent residence.
☐ Satisfactorily pursuing a course of study recognized by the Attorney General.

B. I have satisfied these requirements by:

- ☐ Having satisfactorily pursued a course of study recognized by the Attorney General *(please attach appropriate documentation)*.
☐ Exemption, in that I am 65 years of age or older, under age of 16, or I am physically unable to comply. *(If physically unable to comply, explain and attach relevant*

19. Applicants for status as Permanent Residents must establish that they are not excludable from the United States under the following section 212 of the INA. An applicant who is excludable under a provision of section 212 (a) which may not be waived is ineligible for permanent resident status. An applicant who is excludable under a provision of section 212 (a) which may be waived may, if otherwise eligible, be granted permanent resident status, if an application for waiver on form I-690 is filed and approved.

A. Grounds for exclusion which *may not be*

- Listed by paragraph number of section 212 (a);

- ____ (9) Aliens who have committed or who have been convicted of a crime involving moral turpitude (does not include minor traffic violations).
____ (10) Aliens who have been convicted of two or more offenses which the aggregate sentences to confinement actually imposed were five years or more.
____ (15) Aliens likely to become a public charge.
____ (23) Aliens who have been convicted of a violation of any law or regulation relating to narcotic drugs or marijuana, or who have been illicit traffickers in narcotic drugs or marihuana, except for a single offense of simple possession of thirty grams or less of marijuana.
____ (27) Aliens who intend to engage in activities prejudicial to the national interests or unlawful activities of a subversive nature.
____ (28) Aliens who are or at any time have been anarchists, or of or affiliated with any Communist or other totalitarian party, including any subdivision or affiliate thereof.
____ (29) Aliens who have advocated or taught, either by personal utterance, or by means of any written matter, or through affiliation with an organization:
1) Opposition to organized
2) The overthrow of government by force or violence;
3) The assaulting or killing of government officials because of their official character;
4) The unlawful destruction of
5) Sabotage, or;
6) The doctrines of world communism, or the establishment totalitarian dictatorship in the United
____ (33) Aliens who during the period beginning on March 23, 1933, ending on May 8, 1945, under the direction of, and in association with:
1) The Nazi government in Germany;
2) Any government in any area occupied by the military of the Nazi government in Germany;
3) Any government established with the assistance or cooperation of the Nazi government of Germany;
4) Any government which was an ally of the Nazi of Germany;
ordered, incited, assisted or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion.
• Provisions of 212 (e):
____ Aliens who at any time were exchange visitors subject to the two-year foreign residence requirement unless the requirement has been satisfied or waived pursuant to the provisions of section 212 (e) of the Act. (Does not apply to the Extended Voluntary Departure (EVD) class of temporary

B. Grounds for exclusion which *may be waived:*

- Listed by paragraph number of section 212 (a);

- ____ (1) Aliens who are mentally retarded.
____ (2) Aliens who are insane.
____ (3) Aliens who have suffered one or more attacks of
____ (4) Aliens afflicted with psychopathic personality, sexual or a mental defect.
____ (5) Aliens who are narcotic drug addicts or chronic alcoholics.
____ (6) Aliens who are afflicted with any dangerous contagious disease.
____ (7) Aliens who have a physical defect, disease or disability affecting their ability to earn a living.
____ (8) Aliens who are paupers, professional beggars or vagrants.
____ (11) Aliens who are polygamists or advocate polygamy.
____ (12) Aliens who are prostitutes or former prostitutes, or who procured or attempted to procure or to import, prostitutes or persons for the purpose of prostitution or for any other immoral purpose, or aliens coming to the United States to engage in any other unlawful commercialized vice, whether or not related to prostitution.
____ (13) Aliens coming to the United States to engage in any immoral sexual act.
____ (16) Aliens who have been excluded from admission and deported who again seek admission within one year from the date of such deportation.
____ (17) Aliens who have been arrested and deported and who reentered the United States within five years from the date of
____ (19) Aliens who have procured or have attempted to procure a visa other documentation by fraud, or by willfully misrepresenting a material fact.
____ (22) Aliens who have applied for exemption or discharge from or service in the Armed Forces of the United States on the ground of alienage and who have been relieved or discharged from such training or service.
____ (31) Aliens who at any time shall have, knowingly and for gain, encouraged, induced, assisted, abetted, or aided any other alien to enter or to try to enter the United States in violation of law.

Do any of the above classes apply to

- ☐ No ☐ Yes *(If "Yes", attach an explanation, and any relevant documentation. Place mark (X) on line before ground(s) of exclusion.)*

Do any of the above classes apply to

- ☐ No ☐ Yes *(If "yes", attach an explanation, and any relevant documentation and submit Form I-690. Place mark (X) on line before ground(s) of exclusion.)*

20. If your native alphabet is other than Roman letters, write your name in your native alphabet.	21. Language of native alphabet
22. Signature of Applicant - <i>I CERTIFY</i> , under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I hereby consent and authorize the Service to verify the information provided, and to conduct record checks pertinent to this application.	23. Date (<i>Month/Day/Year</i>)
24. Signature of person preparing form, if other than applicant. I DECLARE that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge.	25. Date (<i>Month/Day/Year</i>)
26. Name and Address of person preparing form, if other than applicant (<i>type or print</i>).	27. Occupation